

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

SUMMARY OF CHANGES TO ELECTRONIC FILING REQUIREMENTS AND PROCEDURES

NOTE: The Electronic Filing Requirements and Procedures manual was originally published on February 10, 2003. A revised edition dated August 11, 2003 is now in effect. This summary contains some of the more significant procedural changes. Language which is bold and italicized indicates new procedures. This summary is not a substitute for the revised manual. You should download or print the revised edition from the Court's website: www.mdd.uscourts.gov.

1. Cases Exempt from Electronic Filing

- criminal cases
- Social Security cases
- prisoner habeas corpus and post conviction cases
- *cases where the plaintiff is pro se unless the pro se plaintiff is a member in good standing of the bar of this court*
- *requests for letters rogatory*
- cases where judgment was entered prior to March 3, 2003

2. Cases Subject to Electronic Filing

- all civil and miscellaneous cases not exempted above or by order of the presiding judge

3. Cases Where Counsel Enters or Withdraws an Appearance

If counsel enters an appearance on behalf of a pro se plaintiff and the only reason why the case was previously exempt from electronic filing is that the plaintiff was pro se, the case becomes subject to electronic filing. In a case subject to electronic filing, if counsel for the plaintiff is granted leave to withdraw resulting in the plaintiff becoming pro se, the case is no longer subject to electronic filing.

4. Documents Exempt from Electronic Filing

- documents which are sealed or which you are requesting be sealed.
- *documents which can only be converted to PDF format by scanning and which are 15 pages or longer. This limit is flexible depending upon your scanner and software. If you are able to scan and electronically file a document longer than 15 pages, the Court will accept it.*

5. New Cases

When filing a new case you should submit to the Clerk:

- a diskette or CD Rom containing PDF versions of the complaint or other initiating document, *the civil cover sheet*, and any attachments, motions or other documents being filed at the same time. Each document must be a separate PDF.
- *each new case must be on a separate diskette or CD Rom.*
- 1 paper copy of the complaint or other initiating document, the civil cover sheet, and any attachments, motions or other documents being filed.
- *the paper copy of the complaint should be signed by counsel. It is not necessary to scan counsel's signature for the PDF version.*
- if summonses are needed, original paper summonses (PDF versions of the summonses are not required).
- if service is to be made by private process, there is no need to submit service copies to the Clerk.
- if service is to be made by the U.S. Marshal, you must submit the appropriate number of service copies of the complaint.
- *Failure to submit PDF versions of the complaint and other documents will cause delays in the opening of the case. The Clerk may decline to issue summonses until PDF versions of the documents are provided.*

6. Temporary Restraining Orders

When filing a new case with a motion for a temporary restraining order, you should submit 2 paper copies of the complaint, motion and any other documents along with the PDF versions. One copy will be sent to the assigned judge. The other copy will be sent to the chambers judge.

7. Documents Submitted in Paper Format Which Should Have Been Filed Electronically

If the Court receives a paper document which should have been filed electronically, the presiding judge may direct that it be returned without being docketed. If the document is accepted and scanned by Court staff, the paper version will be discarded.

8. Removals

- *state court documents which are filed with this court must be submitted in PDF format unless a particular document is 15 pages or longer. The 15 page limit is per document. It is not cumulative.*
- *each state court document must be a separate PDF.*

9. Disclosure of Corporate Interest

To file a Disclosure of Corporate Interest, click on Other Documents, and choose Local Rule from the drop down menu. You will have the opportunity to add language after you attach your disclosure. You should add: “103.3 Disclosure of Corporate Interest.”

10. Motions

Special procedures where Local Rule 105.2.c applies:

- *The party filing the initial motion for summary judgment should follow the procedures set out above.*
- *The party filing a cross motion and memorandum in support of its motion and in opposition to the initial motion should file the motion. Attach to it the memorandum. In the box which allows you to describe the attachment, type in “memorandum in support of cross motion for summary judgment and in opposition to Plaintiff or Defendant’s motion for summary judgment” or similar language.*
- *The party filing the initial motion should file its response/reply as a response to the cross motion.*
- *If the party who filed the cross motion wishes to file a reply, it should be filed as a reply to response to motion.*

11. Ex Parte Matters

Unless you are the only party in a case who is a registered CM/ECF user, you cannot file a document ex parte using the system because of the electronic notification feature. Any time a document is filed, regardless of whether it is filed electronically, on paper, or under seal, notification is sent to all parties who are registered users. If you have been directed to file something ex parte or wish to request permission to do so, you should contact the chambers of the assigned district or magistrate judge for instructions on how to proceed. Chambers may allow you to submit the document to chambers either in paper format or via e-mail.